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In re Application of  
Chui-Kuei Chiu  
Application No. 09/883,195  
Filed: June 19, 2001  
For: **CALIBRATION METHOD OF AN  
IMAGE-CAPTURE APPARATUS**

**MAILED**

**OCT 13 2005**

**DIRECTOR'S OFFICE  
TECHNOLOGY CENTER 2600**

**DECISION ON PETITION**

This is a decision on the Petition to Withdraw Abandonment filed September 6, 2005, pursuant to 37 C.F.R. § 1.181(a). No fee is required.

The application was held abandoned for failure to respond in a timely manner and effective manner to the Office communication mailed December 15, 2004. A Notice of Abandonment was mailed July 1, 2005. It is noted that the Notice of Abandonment states that attorney Kien Le confirmed the abandonment of the application.


Petitioner alleges to have timely filed a response to said Office communication on June 15, 2005. Petitioner has provided copies of the response, power of attorney, petition for extension of time and copies of the certificate of transmission and facsimile auto reply from the U.S. Patent & Trademark Office.

A review of the application file reveals that the original submissions mentioned above, was received on June 15, 2005 and matched with the file.

The application was not abandoned in fact, despite the statements noted from the attorney Kien Le on the Notice of Abandonment. The response filed June 15, 2005 included a revocation of power of attorney. Therefore, had the revocation been timely processed, attorney Kien Le would not have been an attorney of record during the noted conversation on the Notice of Abandonment. Therefore, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

Applicant's petition is **Granted**.

The application file is being forwarded to the Technology Center's technical support staff for processing the Revocation of Power of Attorney and entry of applicant's response. From there the application will be forwarded to the examiner for action in appropriate turn.



Dwayne Bost  
Special Program Examiner  
Technology Center 2600  
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